

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1278 of 2024

Arising Out of PS. Case No.-92 Year-2022 Thana- HUSSAINGANJ District- Siwan

Md. Asif Raja @ Aasif Siddiqi son of Md. Zaffir Alam Village- Mahuwal Ps-
Hussainganj Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 06-03-2024 From perusal of office report, supplementary case diary has been received, where, complete case diary has not yet been received, where, learned counsel for the petitioner requests to hear the matter as other similarly situated co-accused persons have already been granted bail by different learned co-ordinate Bench of this Court and matter is pending from 08.01.2024.

2. Heard learned counsel appearing on behalf of the parties.

3. The petitioner seeks bail in connection with Hussainganj P.S. Case No.92 of 2022 registered for the offence under Sections 302, 120B and 307 of the Indian Penal Code and Section 27 of the Arms Act.



4. The allegation against this petitioner is to involve in indiscriminate firing along with other named co-accused persons, where, during the course of occurrence three persons received bullet injuries, who were political supporters of the informant and also causing death of one passer-by, namely, Binod Yadav.

5. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case on the basis of suspicion. It is submitted that there is no eye witness of the alleged occurrence. It is submitted that nothing incriminating articles have been recovered from the possession of this petitioner, during course of investigation, which may connect this petitioner with the present set of occurrence. It is also submitted that similarly situated co-accused persons have already been granted bail by different learned co-ordinate Bench of this Court through 16922 of 2023 on 25.05.2023, Cr. Misc. No.14178 of 2023 on 11.05.2023, Cr. Misc. No.2237 of 2023 on 26.06.2023. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 05.10.2023.

6. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.



7. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Hussainganj P.S. Case No.92 of 2022 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 9th Siwan.

(Ramesh Chand Malviya, J)

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